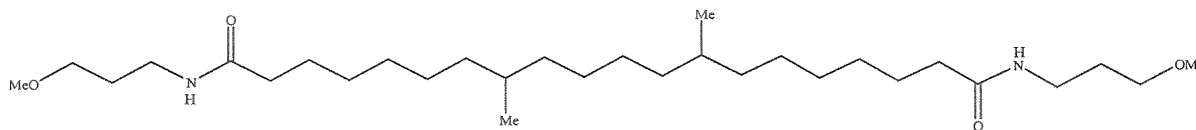


REMARKS/ARGUMENTS

The Examiner is requiring two elections of species, the first regarding the anionic surfactants of Component (B), which are listed in Claim 3, and the second regarding the amphipathic amine lipids of Component (A) corresponding to formulae 1-4 recited in Claim 2.

Applicants hereby elect as Component (B), the anionic surfactant, polyoxyalkylene alkyl (or alkenyl) ether sulfates, which is among those listed in Claim 3, and elect as Component (A), the amphipathic amide lipid, the compound corresponding to formula (1) of Claim 2 and specify amphipathic amide lipid A,



which is shown on page 23, lines 5 and 6, of the specification as having no variables.

Applicants traverse on the grounds that the Office has not shown that a serious burden exists in searching the entire application. In fact, the International Search Authority has searched all of the claims together. Consequently, the required elections are believed to be improper because the Office has not shown any evidence that an election should be required when the International Preliminary Search Report did not.

As regards the species elected for Component (B), Claims 1, 2 and 4-9, as well as Claim 3, in part, read thereon. For the species elected for Component (A), Claims 1 and 3-9, as well as Claim 2, in part, read thereon.

Moreover, the M.P.E.P. at §803 states as follows:

If the search and examination of an entire application can be made without a serious burden, the Examiner must examine it on its merits, even though it includes claims to distinct or independent inventions.

Applicants respectfully submit that a search of all of the claims would not impose a serious burden on the Office.

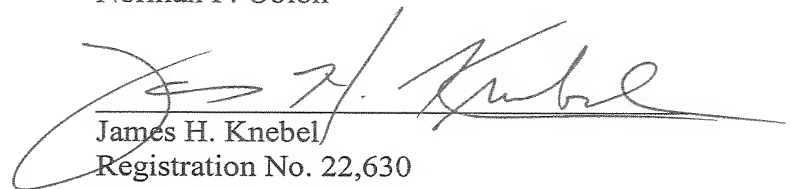
Accordingly, and for the reasons presented above, Applicants submit that the Office has failed to meet the burden necessary in order to sustain the Election Requirement.

Withdrawal of the Election Requirement is respectfully requested.

Applicants respectfully submit that the above-identified application is now in condition for examination on the merits, and early notice of such action is earnestly solicited.

Respectfully submitted,

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